



COMMONWEALTH OF MASSACHUSETTS
TOWN OF NEW MARLBOROUGH
ANNUAL TOWN MEETING
WARRANT

BERKSHIRE: ss

To: William West, Constable of the Town of New Marlborough

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to warn and notify the inhabitants of the Town of New Marlborough, qualified to vote in Town elections and affairs, to meet in the Town Hall, 807 Mill River Southfield Road, in Mill River Village, on Monday, the 12th day of May, 2025, to bring in their ballots to the election officers for the election of the following Town Officers:

Moderator for 1 year
Board of Selectmen for 3 years
Board of Assessors for 3 years
Planning Board for 5 years
Board of Health for 3 years
Cemetery Commissioner for 3 years
Library Trustee for 3 years
Finance Committee for 3 years
Finance Committee for 3 years
Finance Committee for 2 years
Finance Committee for 1 year
Tree Warden for 1 year

The polls open at twelve noon and will remain open continuously until seven o'clock in the evening of said day when they will be then closed.

The Town will furnish all ballots and the election will be conducted according to the Australian System as enacted by the General Court and in conformity with the Election Laws of the Commonwealth.

You are also hereby required to warn and notify the inhabitants of the Town of New Marlborough, qualified to vote in Town affairs, to meet in the Fire House at 205 Norfolk Road in Southfield Village, on Monday, the 5th day of May, 2025 at 7:00 in the evening, then and there to act on the following articles:

Article 1: To hear and act upon the reports of the Town Officers or any committee of the Town.

Article 2: To see if the Town will vote to authorize the Board of Selectmen to act as agents of the Town in accordance with Chapter 40, Section 2 of the General Laws for the purpose of bringing suit or suits in the name of the Town and on its behalf, and to adjust, litigate, defend, compromise, settle, and execute any and all documents pursuant to any settlement on behalf of the Town for such amounts as the Selectmen shall determine in their decision to be proper and in the best interest of the Town, or take any other vote in relation thereto.

Article 3: To see if the Town will vote to authorize the Town, with the approval of the Board of Selectmen, to seek and accept any grants, or take any other vote in relation thereto.

Article 4: To see if the Town will vote to authorize the Board of Selectmen to appoint any member or members thereof to other office(s) or position(s) for a term as provided by law (if any), or otherwise for a term not to exceed one year and to fix the salary and compensation in accordance with Chapter 41, Section 4A of the General Laws, or take any other vote in relation thereto.

Article 5: To see if the Town will vote to authorize the Board of Health to appoint an agent for the Board of Health who may be a member of the Board of Health, under the provisions of Chapter 41, Section 4A of the General Laws, subject to the approval of the Board of Selectmen, or take any other vote in relation thereto.

Article 6: To see if the Town will vote to authorize the Conservation Commission to appoint an agent for the Conservation Commission, who may be a member of the Conservation Commission, under the provisions of Chapter 41, Section 4A of the General Laws, subject to the approval of the Board of Selectmen, or take any other vote in relation thereto.

Article 7: To see if the Town will vote to authorize any Town Board to appoint any member thereof to another office or position, subject to the approval of the Board of Selectmen, for a term as provided by law (if any), or otherwise for the term not to exceed one year, and to fix the salary and compensation in accordance with Chapter 41, Section 4A of the General Laws, or take any other vote in relation thereto.

Article 8: To see if the Town will vote to accept any and all money appropriated by the Executive Office of Transportation and Massachusetts Department of Transportation, subject to the approval of the Board of Selectmen, said sums to be used for the purpose of repairing roads, or take any other vote in relation thereto.

Article 9: To see if the Town will vote to accept any and all money appropriated by the Executive Office of Veterans Affairs and appropriate said amounts, subject to the approval of the Board of Selectmen, to the Veterans Benefits Trust Fund for the purpose of paying veteran benefits under Chapter 115 of the General Laws, or take any other vote in relation thereto.

Article 10: To see if the Town will vote to affix the salaries of various elected Town Officers, or take any other vote in relation thereto. *(Recommended by the Finance Committee)*

	FY 2026	+/-	FY 2025
Board of Selectmen (each, 3 members)	\$ 3,000.00	\$ -	\$ 3,000.00
Town Moderator	\$ 164.00	\$ 7.00	\$ 157.00
Town Clerk	\$ 51,994.00	\$ 1,962.00	\$ 50,032.00
Board of Assessors (chair)	\$ 2,200.00	-	\$ 2,200.00
Board of Assessors (each, 2 members)	\$ 1,900.00	-	\$ 1,900.00
Board of Health (chair)	\$ 450.00	-	\$ 450.00
Board of Health (each, 2 members)	\$ 400.00	-	\$ 400.00
Cemetery Commission (chair)	\$ 175.00	-	\$ 175.00
Cemetery Commission (each, 2 members)	\$ 150.00	-	\$ 150.00
Constable	\$ 531.00	\$ 21.00	\$ 510.00
Tree Warden	\$ 1,394.00	\$ 54.00	\$ 1,340.00
Library Trustee (chair)	\$ 120.00	-	\$ 120.00
Library Trustee (each, 2 members)	\$ 100.00	-	\$ 100.00
School Committee (each, 2 members)	\$ 825.00	-	\$ 825.00

General Government

Article 11: To see if the Town will vote to raise and appropriate the amounts recommended, or any other amounts, for the following purposes, or take any other vote in relation thereto. *(Recommended by the Finance Committee)*

	FY 2026	+/-	FY 2025
1 Moderator	\$ 164.00	\$ 7.00	\$ 157.00
2 Moderator Expenses	\$ 150.00	\$ 150.00	-
3 Selectmen Salaries	\$ 9,000.00	-	\$ 9,000.00
4 Selectmen Expenses	\$ 9,150.00	-	\$ 9,150.00
5 Contingency	\$ 3,500.00	-	\$ 3,500.00
6 Conservation Commission Expenses	\$ 2,711.00	-	\$ 2,711.00
7 Conservation Commission Clerical	\$ 3,349.00	-	\$ 3,349.00
8 Town & Labor Counsel	\$ 25,700.00	\$ 4,900.00	\$ 20,800.00
9 Town Administrator Salary	\$ 65,075.00	\$ 2,503.00	\$ 62,572.00
10 Administrative Secretary Salary	\$ 46,384.00	\$ 1,784.00	\$ 44,600.00
11 Website	\$ 2,500.00	-	\$ 2,500.00
12 Finance Committee Expenses	\$ 250.00	-	\$ 250.00
13 Finance Committee Clerical	\$ 750.00	-	\$ 750.00
14 Accounting Officer Salary	\$ 25,739.00	\$ 990.00	\$ 24,749.00
15 Accounting Officer Expenses	\$ 5,400.00	\$ 120.00	\$ 5,280.00
16 Assessors Salaries	\$ 6,000.00	-	\$ 6,000.00
17 Assessors General Expenses	\$ 4,390.00	\$ 180.00	\$ 4,210.00
18 Assessors Clerk Salary	\$ 32,023.00	\$ 1,232.00	\$ 30,791.00

	FY 2026	+/-	FY 2025
19 Assessors Contracts	\$ 39,645.00	\$ (3,185.00)	\$ 42,830.00
20 Tax Collector Computer Service	\$ 10,725.00	\$ 1,800.00	\$ 8,925.00
21 Tax Collector Department Salaries	\$ 34,318.00	\$ 1,320.00	\$ 32,998.00
22 Tax Collector Expenses	\$ 7,335.00	-	\$ 7,335.00
23 Treasurer Department Salaries	\$ 35,886.00	\$ 1,361.00	\$ 34,525.00
24 Treasurer Expenses	\$ 3,200.00	-	\$ 3,200.00
25 Treasurer Software	\$ 6,925.00	\$ (757.00)	\$ 7,682.00
26 Town Clerk Salary	\$ 51,994.00	\$ 1,962.00	\$ 50,032.00
27 Town Clerk Expenses	\$ 2,500.00	-	\$ 2,500.00
28 Town Records Preservation	\$ 2,500.00	-	\$ 2,500.00
29 Election Expenses	\$ 3,400.00	-	\$ 3,400.00
30 Election Compensation	\$ 1,010.00	\$ (507.00)	\$ 1,517.00
31 Street Listing	\$ 900.00	60.00	\$ 840.00
32 Planning Board Expenses	\$ 400.00	\$ (500.00)	\$ 900.00
33 Planning Board Clerical	\$ 1,100.00	\$ 50.00	\$ 1,050.00
34 Board of Appeals	\$ 50.00	-	\$ 50.00
35 Clerical	\$ 11,249.00	\$ 433.00	\$ 10,816.00
36 Town Hall Expenses	\$ 47,000.00	\$ 1,500.00	\$ 45,500.00
37 Town Hall Custodian	\$ 4,000.00	\$ (6,600.00)	\$ 10,600.00
38 Town Officers Bonds	\$ 1,200.00	-	\$ 1,200.00
39 Printing	\$ 3,200.00	\$ 700.00	\$ 2,500.00
Total Article 11	\$ 510,772.00	\$ 9,503.00	\$ 501,269.00

Highways/Public Works

Article 12: To see if the Town will vote to raise and appropriate the amounts recommended, or any other amounts, for the following purposes, or take any other vote in relation thereto. *(Recommended by the Finance Committee)*

	FY 2026	+/-	FY 2025
1 Roads and Bridges Salaries	\$ 476,474.00	\$ 8,474.00	\$ 468,000.00
2 Roads and Bridges Expenses	\$ 219,850.00	-	\$ 219,850.00
3 Fuel: Propane & Diesel	\$ 80,000.00	\$ (8,500.00)	\$ 88,500.00
4 Winter Roads	\$ 266,334.00	-	\$ 266,334.00
5 Street Lights	\$ 8,000.00	\$ 1,000.00	\$ 7,000.00
6 Highway Department Expenses	\$ 42,506.00	\$ 295.00	\$ 42,211.00
7 Machinery Expense	\$ 98,000.00	-	\$ 98,000.00
8 Cemetery Officers Stipends	\$ 475.00	-	\$ 475.00
9 Cemetery Salaries	\$ 49,190.00	\$ 1,892.00	\$ 47,298.00
10 Cemetery Expenses	\$ 4,200.00	\$ 300.00	\$ 3,900.00
Total Article 12	\$ 1,245,029.00	\$ 3,461.00	\$ 1,241,568.00

Schools/Education

Article 13: To see if the Town will vote to raise and appropriate the amounts recommended for the purpose of paying the Town's assessed share of the Southern Berkshire Regional School District budget, or take any other vote in relation thereto. *(Recommended by the Finance Committee)*

	FY 2026	+/-	FY 2025
1 SBRSD Operating and Transportation	\$ 2,749,447.00	\$ 99,434.00	\$ 2,650,013.00
2 SBRSD Capital (Includes Bond)	<u>\$ 116,371.00</u>	<u>\$ 126.00</u>	<u>\$ 116,245.00</u>
Total Article 13	\$ 2,865,818.00	\$ 99,560.00	\$ 2,766,258.00

Article 14: To see if the Town will vote to raise the sum of \$8,800.00 and appropriate said amount, or any other amount, to the Vocational Education account for the purpose of providing vocational education to town students as required by State law, or take any other vote in relation thereto. *(Recommended by the Finance Committee)*

Article 15: To see if the Town will vote to raise and appropriate the sum of \$1,650.00, or any other amount, for School Committee Representatives Compensation, or take any other vote in relation thereto. *(Recommended by the Finance Committee)*

Culture and Recreation

Article 16: To see if the Town will vote to raise and appropriate the amounts recommended, or any other amounts, for the following purposes, or take any other vote in relation thereto. *(Recommended by the Finance Committee)*

	FY 2026	+/-	FY 2025
1 Library Expenses	\$ 72,070.00	\$ 3,869.00	\$ 68,201.00
2 Library Salaries	\$ 95,400.00	\$ 3,673.00	\$ 91,727.00
3 Library Trustees Stipends	\$ 320.00	-	\$ 320.00
4 Historical Commission Clerical	\$ 300.00	-	\$ 300.00
5 Historical Commission Expenses	\$ 200.00	-	\$ 200.00
6 Umpachene Falls Park Expenses	\$ 5,800.00	\$ 1,800.00	\$ 4,000.00
7 Care of Village Green			
Renamed Village Green Expenses	\$ 4,351.00	\$ 66.00	\$ 4,285.00
8 Cultural Council Expenses	\$ 2,000.00	-	\$ 2,000.00
9 Memorial Day	<u>\$ 1,000.00</u>	<u>-</u>	<u>\$ 1,000.00</u>
Total Article 16	\$ 181,441.00	\$ 9,408.00	\$ 172,033.00

Protection of Persons and Property

Article 17: To see if the Town will vote to raise and appropriate the amounts recommended, or any other amounts, for the following purposes, or take any other vote in relation thereto. *(Recommended by the Finance Committee)*

	FY 2026	+/-	FY 2025
1 Police Department Salaries	\$ 335,500.00	\$ 33,280.00	\$ 302,220.00
2 Police Department Expenses	\$ 66,039.00	\$ 7,115.00	\$ 58,924.00
3 Fire House Lease	\$ 18,000.00	-	\$ 18,000.00
4 Constable Stipend	\$ 531.00	\$ 21.00	\$ 510.00
5 Fire Protection	\$ 87,700.00	\$ 1,300.00	\$ 86,400.00
6 Fire Fighters Stipends	\$ 83,288.00	\$ 24,208.00	\$ 59,080.00
7 Fire Department Clerical	\$ 2,400.00	-	\$ 2,400.00
8 NM Rescue Clerical	\$ 0.00	\$ (8,400.00)	\$ 8,400.00
9 Building Inspector Expenses	\$ 2,500.00	-	\$ 2,500.00
10 Building Department Salaries	\$ 25,269.00	-	\$ 25,269.00
11 Building Department Administrative	\$ 13,879.00	\$ 13,879.00	\$ 0.00
12 Alternate Building Inspector Comp	\$ 250.00	-	\$ 250.00
13 Building Inspector Software	\$ 4,700.00	\$ 1,280.00	\$ 3,420.00
14 Emergency Management Stipend	\$ 5,182.00	\$ 200.00	\$ 4,982.00
15 Emergency Management Expenses	\$ 2,100.00	-	\$ 2,100.00
16 Animal Inspector Compensation	\$ 4,826.00	\$ 186.00	\$ 4,640.00
17 Animal Inspector Expense	\$ 925.00	-	\$ 925.00
18 Tree Warden Salary	\$ 1,394.00	\$ 54.00	\$ 1,340.00
19 Tree Work	\$ 31,000.00	\$ (9,000.00)	\$ 40,000.00
20 Emergency Notification System	\$ 1,744.00	\$ (1,309.00)	\$ 3,053.00
21 Berkshire County Communications	\$ 0.00	\$ (12,279.00)	\$ 12,279.00
Total Article 17	\$ 687,227.00	\$ 50,535.00	\$ 636,692.00

Article 18: To see if the Town will vote to raise and appropriate the amount of \$53,319.00, or any other amount, to the Firefighter/EMT Paid Shift Account, for the purpose of staffing the Fire Department and Ambulance during the day, or take any vote in relation thereto. *(Recommended by the Finance Committee)*
[FY 25 amount raised \$19,268; increase of \$34,051. FY 25 amount transferred from the Comstar Reserve Account \$32,000; decrease of \$32,000. Net budget increase \$2,051]

Article 19: To see if the Town will to raise and appropriate the amount of \$40,274.00, or any other amount, to the New Marlborough Rescue Expense Account for the purpose of the operation of emergency ambulance service, or take any other vote in relation thereto. *(Recommended by the Finance Committee)* [FY 25 amount raised \$0.00; increase of \$40,274. FY 25 amount transferred from the Comstar Reserved Account \$33,300; decrease of \$33,300. Net budget increase \$6,974]

Article 20: To see if the Town will vote to raise the amount of \$24,188.00, or any other amount, and appropriate said amount, or any other amount to the New Marlborough Rescue Stipend Account and transfer the amount of \$118,315.00, or any other amount, from the New Marlborough Rescue/Comstar Reserved Account, and to appropriate said amount, or any other amount, to the New Marlborough Rescue Stipend Account for the purpose of staffing the ambulance, or take any other vote in relation thereto. *(Recommended by the Finance Committee)* [FY 25 raise amount \$0.00, increase of \$24,188. FY 25 transfer amount \$53,015 increase of \$65,300. Net budget increase 89,488]

Health and Human Services

Article 21: To see if the Town will vote to raise and appropriate the amounts recommended, or any other amounts, for the following purposes, or take any other vote in relation thereto. *(Recommended by the Finance Committee)*

	FY 2026	+/-	FY 2025
1 Household Hazardous Waste	\$ 3,385.00	\$ 1,370.00	\$ 2,015.00
2 Board of Health Officer Stipends	\$ 1,250.00	-	\$ 1,250.00
3 Board of Health Expenses	\$ 1,450.00	\$ 50.00	\$ 1,400.00
4 Board of Health Clerical	\$ 7,243.00	\$ 279.00	\$ 6,964.00
5 Board of Health Software Expense	\$ 3,100.00	\$ 720.00	\$ 2,380.00
6 Transfer Station Expenses	\$ 150,000.00	\$ 6,500.00	\$ 143,500.00
7 Transfer Station Salaries	\$ 38,906.00	\$ 1,497.00	\$ 37,409.00
8 Southern Berkshire Public Health	\$ 2,835.00	\$ 85.00	\$ 2,750.00
9 Group Purchasing	\$ 3,795.00	\$ 165.00	\$ 3,630.00
10 Council on Aging Director Stipend	\$ 3,732.00	\$ 144.00	\$ 3,588.00
11 Council on Aging Expenses	\$ 15,000.00	\$ 300.00	\$ 14,700.00
12 Commission on Disabilities Expenses	\$ 0.00	\$ (100.00)	\$ 100.00
13 Senior Tax Work-off Expenses	\$ 150.00	-	\$ 150.00
14 Housing Committee Expense	\$ 0.00	\$ (350.00)	\$ 350.00
15 ADA Coordinator	\$ 1,500.00	-	\$ 1,500.00
Total Article 21	\$ 232,346.00	\$ 10,660.00	\$ 221,686.00

Debt and Interest

Article 22: To see if the Town will vote to raise and appropriate the amounts recommended, or any other amounts, for the following purposes, or take any other vote in relation thereto. *(Recommended by the Finance Committee)*

	FY 2026	+/-	FY 2025
1 2015 Fire Truck	\$ 57,200.00	\$ (2,200.00)	\$ 59,400.00
2 2019 Grader	\$ 37,700.00	\$ (1,300.00)	\$ 39,000.00
3 Hatchery Road	\$ 40,864.00	\$ (864.00)	\$ 41,728.00
4 Capital Road Projects	<u>\$ 52,558.00</u>	<u>\$ (2,928.00)</u>	<u>\$ 55,486.00</u>
Total Article 22	\$ 188,322.00	\$ (7,292.00)	\$ 195,614.00

Unclassified Expenses

Article 23: To see if the Town will vote to raise and appropriate the recommended amounts, or any other amounts, for the following purposes, or take any other vote in relation thereto. *(Recommended by the Finance Committee)*

	FY 2026	+/-	FY 2025
1 Berkshire County Retirement	\$ 191,400.00	\$ (8,926.00)	\$ 200,326.00
2 Town Insurances	\$ 109,750.00	\$ 11,750.00	\$ 98,000.00
3 Group Health Insurance	\$ 326,392.00	\$ 44,087.00	\$ 282,305.00
4 Insurance Reimbursement	\$ 4,000.00	\$ 1,000.00	\$ 3,000.00
5 Longevity Stipend	\$ 0.00	\$ (500.00)	\$ 500.00
6 Medicare	\$ 27,848.00	\$ 1,350.00	\$ 26,498.00
7 Veterans District	\$ 11,580.00	\$ 682.00	\$ 10,898.00
8 Veterans Benefits Trust Chapter 115	\$ 6,000.00	-	\$ 6,000.00
9 Berkshire Regional Planning	\$ 1,367.00	\$ 33.00	\$ 1,334.00
10 Reserve Fund	\$ 55,000.00	\$ 5,000.00	\$ 50,000.00
11 Nonexempt Employee Contingency	\$ 1,000.00	-	\$ 1,000.00
12 Human Resources Director	\$ 0.00	\$ (4,500.00)	\$ 4,500.00
Total Article 23	\$ 734,337.00	\$ 49,976.00	\$ 684,361.00

Article 24: To see if the Town will vote to raise and appropriate the sum of \$200,000.00, or any other amount, for the purpose of funding the Stabilization Fund, or take any other vote in relation thereto. *(Recommended by the Finance Committee)* [FY 25 amount \$200,000.00]

Article 25: To see if the Town will vote to transfer the sum of \$40,000, or any other amount, from Free Cash and appropriate said amount, or any other amount, to the Cemetery Land account and further, to authorize the Board of Selectmen to take any actions necessary, including but not limited to hiring an appraiser, a surveyor, and executing any required documents, to acquire two contiguous parcels of land located on Norfolk Road described as Assessors' Map 109-02-0 (approximately 1.050 acres) and Assessors' Map 109-22-0 (approximately .0399 acre) for the purpose of expanding the Town cemetery known as the Southfield/Lee Cemetery, or take any other vote in relation thereto.

Article 26: To see if the Town will vote to transfer the sum of \$327,000.00, or any other amount, from Free Cash, and appropriate said amount, or any other amount, to the 2026 Highway Plow/Dump Truck account for the purpose of purchasing a 4x4 Highway Truck with complete snow and ice removal package, and to authorize the Select Board to sell or trade in the 2004 International 7300 truck, or take any other vote in relation thereto. *(Recommended by the Finance Committee)*

Article 27: To see if the Town will vote to transfer the sum of \$300,000.00, or any other amount, from Free Cash, and appropriate said amount, or any other amount, to the Town Hall Renovation account for the purpose of funding an owner's project manager and initial design for the renovation of the existing Town Hall building located at 807 Mill River Southfield Rd, or take any other vote in relation thereto. *(Recommended by the Finance Committee)*

Article 28: To see if the Town will vote to transfer the sum of \$100,000.00, or any other amount, from Free Cash, and appropriate said amount, or any other amount, to the Norfolk Road account for the purpose of repairing Norfolk Road, or take any other vote in relation thereto. *(Recommended by the Finance Committee)*

Article 29: To see if the Town will vote to transfer the sum of \$86,619.00, or any other amount, from Free Cash, and appropriate said amount, or any other amount, to the 2026 Police Cruiser account for the purpose of purchasing and equipping a new police cruiser, or take any other vote in relation thereto. *(Recommended by the Finance Committee)*

Article 30: To see if the Town will vote to transfer the sum of \$70,000.00, or any other amount, from Free Cash, and appropriate said amount, or any other amount, to the Transfer Station Capital Improvements account, for the purpose of making improvements to the transfer station, or take any other vote in relation thereto. *(Recommended by the Finance Committee)*

Article 31: To see if the Town will vote to transfer the sum of \$35,000.00, or any other amount, from Free Cash, and appropriate said amount, or any other amount, to the Town Audit account for the purpose of funding town audits including OPEB, or take any other vote in relation thereto. *(Recommended by the Finance Committee)*

Article 32: To see if the Town will vote to transfer the sum of \$25,000.00, or any other amount, from Free Cash, and appropriate said amount, or any other amount, to the Roadside Mower account for the purpose of purchasing a three point hitch flair mower for 2021 roadside mower, or take any other vote in relation thereto. *(Recommended by the Finance Committee)*

Article 33: To see if the Town will vote to transfer the sum of \$21,000.00, or any other amount, from Free Cash, and appropriate said amount, or any other amount, to the Fire Department Air Bottle Fill Station account for the purpose of purchasing an air bottle fill station and storage tanks for the Fire Department, or take any other vote in relation thereto. *(Recommended by the Finance Committee)*

Article 34: To see if the Town will vote to transfer the sum of \$20,000.00, or any other amount, from Free Cash, and appropriate said amount, or any other amount, to the Cemetery Projects account for the purpose of paying for costs associated with the removal of trees in the Town cemeteries, or take any other vote in relation thereto. *(Recommended by the Finance Committee)*

Article 35: To see if the Town will vote to transfer the sum of \$19,000.00 or any other amount, from Free Cash, and appropriate said amount, or any other amount, to the Tax Title Revolving account for the purpose of funding legal costs associated with tax title properties, or take any other vote in relation thereto. *(Recommended by the Finance Committee)*

Article 36: To see if the Town will vote to transfer the sum of \$7,135.00, or any other amount, from Free Cash, and appropriate said amount, or any other amount, to the Highway Overhead Door account for the purpose of replacing an overhead door in the Highway Garage, or take any other vote in relation thereto. *(Recommended by the Finance Committee)*

Article 37: To see if the Town will vote to transfer the sum of \$5,500.00, or any other amount, from Free Cash, and appropriate said amount, or any other amount, to the Town Green Electrical Upgrade account for the purpose of upgrading electrical service on the Town Green, or take any other vote in relation thereto. *(Recommended by the Finance Committee)*

Article 38: To see if the Town will vote to transfer the sum of \$5,150.00, or any other amount, from Free Cash, and appropriate said amount, or any other amount, to the Police Department Taser account for the purpose of replacing police department tasers, or take any other vote relative thereto.

Article 39: To see if the Town will vote to transfer the sum of \$4,612.00, or any other amount from Free Cash, and appropriate said amount, or any other amount, to the Police Department Copier account for the purpose of purchasing the Police Department copier, or take any other vote relative thereto.

Article 40: To see if the Town will vote to fix the maximum amount that may be spent during fiscal year 2026 without further appropriation for the revolving funds established in the General By-laws for certain departments, boards, committees, agencies, or other officers in accordance with MGL Chapter 44, Section 53E½ as follows, or take any other vote in relation thereto:

<u>Authorized Revolving Funds</u>	<u>FY 2026 Spending Limit</u>
Plumbing Inspector	\$ 10,000.00
Gas Inspector	\$ 10,000.00
Electrical Inspector	\$ 25,000.00
Board of Health	\$ 20,000.00
Tax Title Fees	\$ 50,000.00

Article 41: To see if the Town will vote to amend Sections 3.3.1.2, 3.3.1.3, 3.4, 4.1, 4.2, 7.3.1.4, and 12.2 of the Protective Bylaws of the Town of New Marlborough relating to Accessory Dwelling Units by deleting the following language, shown as struck out, and adding the following new language, shown in italics, or take any other action in relation thereto: **(2/3 Vote Required)**

~~3.3.1.2 Accessory Dwelling, existing on or before May 5, 2003, subject to the following conditions:~~

~~A. The exterior appearance of the building shall not be altered except for the purpose of safety (stairs for fire escape), health (weather protection for the main entry such as enclosed entry or drip edge protection) or handicapped accessibility requirements (ADA compliance) or to meet building code requirements, nor shall the footprint of the building be enlarged.~~

~~B. The minimum lot size requirement shall be two (2) acres and the minimum frontage requirement shall be 150 feet.~~

~~C. One of the two units on the lot shall be occupied by the owner of the lot, and in the event of the sale of the property, the new owner shall occupy one of the two units as a primary residence.~~

~~D. There shall be no more than one accessory dwelling per lot created under this bylaw. 4 E. The maximum gross floor area (GFA) shall not exceed 1,200 square feet.(ATM 5.4.15) (AG 11.4.15)~~

3.3.1.3 Accessory Apartment

~~A. Purpose:~~

~~1. Add moderately priced rental units to the housing stock of the Town. (ATM 5.4.15) (AG 11.4.15)~~

~~2. Provide homeowner(s) with a means of obtaining rental income, accommodation for caregiver(s), companionship, security and/or services, thereby enabling him/her to stay more comfortably in their homes.~~

~~3. Protect property values and the single family residential character of neighborhoods by ensuring that accessory apartments are permitted by right only on owner occupied premises.~~

~~B. Accessory Apartments. An accessory apartment May be permitted by right, as an accessory use where the principal use of the lot is an owner occupied single family dwelling.~~

~~C. Accessory Apartments, shall be subject to the following conditions:~~

~~1. In accessory apartment shall only be constructed within an existing principal building or structure or an existing attached accessory building or structure.~~

~~2. Only one (1) accessory apartment shall be permitted on a lot.~~

~~3. The maximum gross floor area of an accessory apartment constructed within a principal building or structure shall not exceed forty percent (40% of the maximum gross floor area of principal building or structure. The maximum gross floor area of an accessory apartment shall not be less than 300 square feet. The principal dwelling unit shall not be reduced to less than 300 square feet.~~

~~4. To qualify as an accessory apartment, the owner of the lot must occupy either the accessory apartment or the principal dwelling unit.~~

~~5. The principal or accessory structure or building that will contain an accessory apartment shall not be enlarged or extended in connection with the construction or modification of an accessory apartment, except to comply with building, safety or health codes as outlined in Section 3.3.1.2.A of these By Laws. 5~~

~~6. All parking for the occupant(s) of an accessory apartment shall be off street in accordance with Section 7.3.1.4 of these By Laws.~~

~~7. An accessory apartment shall meet all applicable standards of the State Building Code (780 CMR) and the State Environmental Code, Title V (310 CMR 15.00) and subsequent revisions thereof. 3.3.2 Any lawful residential, municipal or non-profit recreational purpose.~~

3.3.1.2 ACCESSORY DWELLING UNIT

A. Definition

Accessory dwelling unit: A self-contained dwelling unit inclusive of sleeping, cooking and sanitary facilities on the same lot as or within a principal dwelling.

B. Purpose

The goal of permitting an Accessory Dwelling Unit (ADU) as of right is to:

- 1. Develop new housing units.*
- 2. Protect stability, property values, and the character of the town by ensuring that an ADU creates opportunities for additional housing with reasonable regulation.*
- 3. Provide homeowners with a means of obtaining rental income, thereby enabling them to stay in their homes and villages.*

C. Rural Residential Districts and Village Center Districts: ADUs As Of Right

In Rural Residential districts and Village Center districts where housing exists, no zoning bylaw shall prohibit, unreasonably restrict or require a special permit or other discretionary zoning approval for the use of land or structures for a single Accessory Dwelling Unit or the rental thereof on a lot with a single-family dwelling as long as it meets the following requirements:

D. General Requirements

1. Configuration:

- a. An ADU may be located within, added or attached to, or detached from a single family dwelling or an accessory structure. No more than one such unit shall be allowed as of right on any lot.*

- 2. Occupancy: Any ADU, however configured, shall comply with Section 9 (Building Permit) of the Protective Bylaws.*

3. *Accessibility: To encourage the development of housing units for people with disabilities, the Building Inspector may allow reasonable deviation from the stated requirements to install features that facilitate accessibility in conformance with state requirements.*
4. *Parking for the occupant(s) of an accessory apartment shall be off-street in accordance with Section 7.3.1.4 of these By-Laws.*

E. Dimensional Requirements

1. *Maximum unit size: The gross floor area of an ADU shall not exceed 50 percent of the gross floor area of the principal dwelling or 1,200 square feet, whichever is smaller. Anything greater shall require a special permit.*

3.4 Uses by Special Permit only

~~3.4.1.14 Accessory Dwelling either new construction or modification of an existing freestanding building constructed after May 5, 2003.~~

~~3.4.4 Accessory dwelling on a lot with less than two (2) acres or less than 150 feet of frontage, subject to the conditions set forth in Section 3.3.1.2 and Section 7.3.1.1~~

SECTION 4 LOT SIZE AND FRONTAGE

4.1 In the Rural Residential District, no dwelling or accessory Building shall be erected or placed on a lot having less than one (1) 9 acre in the area or having less than one hundred and fifty (150) feet in frontage or be placed closer than forty (40) feet to the street line or twenty five (25) feet from side or rear lot line. No more than one (1) dwelling *and one Accessory Dwelling Unit* shall be erected or placed on any such lot.

4.2 In the Village Center Residential District, no dwelling or accessory building shall be erected or placed on a lot having less than one (1) acre in area or having less than seventy-five (75) feet in frontage or be placed closer than twenty (20) feet to the street line or twenty five (25) feet from side or rear lot line. No more than one (1) dwelling *and one Accessory Dwelling Unit* shall be erected or placed on any such lot.

7.3 Parking

7.3.1.4 Accessory Dwelling: Two off-street parking spaces for the principal unit and ~~at least~~ one off street parking space for the accessory dwelling. Each parking space and the driveway approach thereto shall be constructed with all-weather permeable gravel suffice. Shared parking with municipal or commercial uses can be considered to meet the requirements, if made a condition of the building permit.

~~12.2 ACCESSORY DWELLING: A detached freestanding building located along with the principle dwelling unit on the lot shall be allowed as an accessory dwelling.~~ **ACCESSORY DWELLING UNIT:** *A self-contained dwelling unit inclusive of sleeping, cooking and sanitary facilities on the same lot as or within a principal dwelling.*

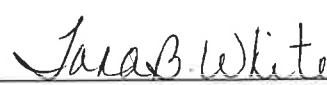
Moreover, you are hereby directed to serve this warrant by posting copies of the same in five (5) or more public places within the Town, to include the Transfer Station and the Town Website, at least seven (7) days before the time of said meeting.

Given under our hands this 17th day of April, 2025

The original signed copy is on file in the Town Clerk's Office.


William West, Chair


Elizabeth Dean

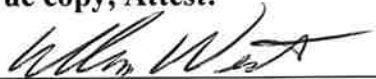

Tara B. White

Select Board

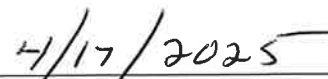
Pursuant to the Warrant, I certify that, at least seven (7) days before the time of said meeting, I have posted true and attested copies of this Warrant at:

Town Hall, Mill River Village
Southfield Post Office, Southfield Village
New Marlborough Town Library, Mill River Village
Transfer Station, New Marlborough Village
and the Town Website as directed by vote of the Town of New Marlborough.

A true copy, Attest:



William West, New Marlborough Constable



Date

